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SC Court of Appeals

STATE OF SOUTH CAROLINA ("SC")
COUNTY OF RICHLAND

Magistrate Court case 2025CV4010601370
No. 2026-CP-40-01934, on appeal from Magistrate Court
Appealed to SC's Court of Appeals as Case 2026-001573.

Green Alpha Property Management
v. *Marie Assa'ad-Faltas, MD, MPH*

Defendant's *EMERGENCY* MEMORANDUN on JURISDICTION And Notice of Extreme Risks to Defendant-Appellant's Life

The cornerstone of our judicial system is jurisdiction. See Judge Gravely's 27 November 2018 ORDER granting summary judgment for Dr. Assa'ad-Faltas in **2017CP4006831** partly since the summary court judge who had held Dr. Assa'ad-Faltas in contempt had no jurisdiction to enter the bond conditions the latter judge entered and later convicted Dr. Assa'ad-Faltas of violating.

Upon appeal to a higher court, the lower court loses jurisdiction. A lower court does **not *automatically* regain jurisdiction** upon the entry of an affirmance or dismissal by the higher court to which the case was appealed. According to South Carolina's handbook for circuit courts, upon appeal from summary court to circuit court and therefrom to SC's Court of Appeals and/or SC's Supreme Court, **the circuit court must await the remittitur from the higher court and, upon receipt of which, further remit the case to the summary court.** See SC Circuit Judge Jocelyn Newman's 4 January 2018 ORDER in 2013-CP-40-03522. A writ of ejectment, which Dr. Assa'ad-Faltas timely appealed to Circuit Court, was, on or after 17 March 2026, issued by Magistrate Dash sitting by designation in Richland County Magistrate Court. A 16 April 2026 bond to stay eviction caused recall of the writ. Dr. Assa'ad-Faltas timely complied with the bond; and all her rents are timely paid through the end of July 2026. **The Magistrate has no jurisdiction unless and until the case is remitted to him.** A Form-4 ORDER was issued by Circuit Court on 13 July 2026 from which Dr. Assa'ad-Faltas timely sought rehearing and simultaneously appealed to SC's Court of Appeal. A copy of her **filed** notice of appeal and motions was timely e-mailed to magistrate court and is attached hereto again. **SC's Court of Appeals has NOT remitted the case to Circuit Court. Circuit Court has NOT remitted the case to magistrate and CANNOT do so until and unless Circuit Court itself receives the remittitur from the higher courts.** On 15 July 2026, Magistrate Dash, **acting *without* jurisdiction,** issued a premature set-out notice to Dr. Assa'ad-Faltas, which, when served on her on Monday, 22 July 2026, greatly harmed her already harmed precarious health. A set-out in this extreme may realistically cause her death. The notice must be recalled to give Dr. Assa'ad-Faltas necessary peace of mind, to allow her to pursue urgent diagnosis and treatment of the severe events she suffered recently and for which she was admitted to an emergency facility on 12 July 2026.

Neither the Circuit Court nor SC's Court of Appeals has yet ruled on Dr. Assa'ad-Faltas' emergency motions to halt the planned set-out. **But the higher court's inaction does NOT confer on the magistrate jurisdiction he does NOT presently have.** Only a proper remittitur does.

Courts must avoid irreparable injury to parties; death is irreparable injury to Dr. Assa'ad-Faltas.

Plaintiff-Landlord, who continues to collect rent during Dr. Assa'ad-Faltas' occupancy will suffer no injury *at all* until this case is duly and fairly heard at all levels open to all similarly-situated tenants. The public interest favors stay of the set-out to deter rent-gouging by landlords.

WHEREFORE, the planned set-out notice must be recalled, and the current stay bond continued in effect unless and until duly modified by a court of appropriate jurisdiction,

Submitted and served on 23 July 2026 by email and/or runner to magistrate court. and email to Mr. Hunter and to RCSD Chief McDuffie, all God so willing.

s/Marie-Thérèse Assa'ad-Faltas, MD, MPH, Defendant/Appellant/~~Movant~~ *pro se*
P.O. Box 9115, Columbia, SC 29290 Phone: (803) 783-4536
e-mail: Marie_Faltas@hotmail.com Cell: (330) 232-4164

The South Carolina Court of Appeals

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April 22, 2026

Sasha Rawlinson
18126 Wiley Street
Columbia SC 29205

Re: Homes of Hope v. Shasha Rawlinson
Appellate Case No. 2026-000980

Dear Ms. Rawlinson:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

This is to advise that the title in the above matter has been changed to read as follows:

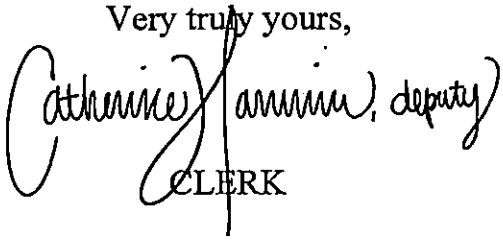
Homes of Hope, Respondent,

v.

Shasha Rawlinson, Appellant.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,



CLERK

cc: Homes of Hope

Singleton, Mary C.

From:	Singleton, Mary C.
Sent:	Wednesday, April 22, 2026 10:00 AM
To:	shasharawlinson08@aol.com
Subject:	Homes of Hope v. Shasha Rawlinson (2026-000980)
Attachments:	Homes of Hope v. Rawlinson - Initial Letter.pdf; Homes of Hope v. Rawlinson - Order.pdf

Dear Ms. Rawlinson,

Attached is a copy of this Court's correspondence. **Please do not respond to this email.** Send all correspondence to ctappfilings@sccourts.org. Any parties not included in this email will receive the attached correspondence via US Mail.

Warmly,

Caitlyn Singleton
Senior Appeals Specialist
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
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Phone: (803) 734-1890

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